

## **TITLE I**

### **MEMBERSHIP AND ENROLLMENT**

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**CHAPTER 1. MEMBERSHIP****Section 1-1-1. Enrollment procedure.**

A. *Application for membership.* Any person who may be qualified for membership under the provisions contained in Article II, Sections 1(b), (c) or (d) of the 1984 Constitution of the Pueblo of Laguna, must file an application on the form provided by the Pueblo on or before June 6, 1986, except that, any person born after June 6, 1984 must have an application filed by his or her parent(s) or other person on his or her behalf within two (2) years of his or her date of birth. All applications for membership shall be filed in the office of the Pueblo Secretary. Any person who filed an application for enrollment under the 1958 Constitution and was denied enrollment must file a new application before June 6, 1986 if that person wishes to be enrolled under the 1984 Constitution.

B. *Application for naturalization.* No person, otherwise eligible for naturalization, shall be naturalized unless application has first been filed by the applicant or an interested person on his or her behalf.

C. *Investigation of application.* Upon receipt of an application, the Pueblo Secretary or Secretary's assignee shall immediately review the application for completeness and shall request any additional information necessary for the consideration of the applicant for enrollment, including an investigation of any paternity decrees submitted with the application in the manner provided in section 1-1-2 herein. Upon completion of the investigation, the Secretary shall immediately forward the application and all pertinent documents to the enrollment committee.

D. *Enrollment committee.* The membership and method of appointment of the enrollment committee shall be determined by resolution of the Pueblo Council.

E. *Review and recommendation.* Upon receipt of the application and supporting documentation, the enrollment committee shall review same and promptly recommend appropriate action on each application to the Council if the recommendation is in favor of enrollment or naturalization of the applicant.

F. *Adverse recommendation; notice; hearing.* If the investigation of the Pueblo Secretary or his or her designee, or the review by the enrollment committee reveals that based upon the application and documentation available, the applicant is not qualified for membership or naturalization or that the Laguna or Indian blood quantum is other than that stated on the application, then the applicant or, if the applicant is a minor, the person who filed the application, shall be notified in writing of this fact and afforded an opportunity, upon request, to be heard by the enrollment committee. At the hearing the applicant or interested party may be represented by a spokesperson or qualified legal counsel and may present any evidence, substantiated in writing, which supports the qualifications of the applicant to membership or naturalization. The committee shall hear all of the evidence and within ten (10) days of the conclusion of the hearing and shall determine what its recommendation to the Council shall be.

G. *Hearing before Council; decision.*

- (1) If after its hearing the committee recommends enrollment, the committee shall submit that recommendation to Council. The Council hearing shall proceed as set out in subsection (3) below.
- (2) If after hearing before the committee, the recommendation remains that the applicant is not qualified for membership or naturalization or that the Laguna or Indian blood quantum is other than stated in the application, the applicant or interested party shall be notified of this fact and shall be given the opportunity to request a hearing before the Council within thirty (30) days of receipt of the committee's recommendation. No hearing shall be scheduled unless the interested party has set forth in his or her request for hearing specific reasons of how the enrollment committee misapplied the provisions of the 1984 Constitution or the relevant Pueblo ordinances or made findings of fact not supported by evidence in the record.
- (3) At the Council hearing, the enrollment committee shall present its reasons for its recommendation regarding enrollment, naturalization and/or blood quantum, and the applicant, his or her spokesperson or qualified legal representative may present any evidence to the contrary. Following the hearing, the Council shall make its decision regarding the applicant's qualifications for enrollment, naturalization and/or blood quantum and may, in the appropriate case, require further investigation or inquiry by the Pueblo Secretary or enrollment committee, giving written instructions as to what is to be investigated, and report the results back to the Council.

H. *Time limits.* To ensure that enrollment matters are handled in a timely manner, the following business shall be conducted within the time limits set forth below and all notice shall be sent by certified mail, return receipt requested:

- (1) Notice that the enrollment committee does not find an applicant qualified for membership or naturalization or that the applicant's blood quantum is other than stated on the application and that the applicant or interested party may request a hearing before the enrollment committee, shall be sent within ten (10) days of the enrollment committee's finding.
- (2) A request for hearing before the enrollment committee shall be returned to the enrollment committee within twenty (20) days of the receipt of the notice.
- (3) The hearing shall be scheduled before the enrollment committee within sixty (60) days after receipt of a request for hearing and the applicant or interested party shall receive notice of such hearing no less than fifteen (15) days prior to the date set for hearing.
- (4) Notice of the enrollment committee's final recommendation and the right to request a hearing before the Council shall be sent to the applicant within ten (10) days after completion of the enrollment committee hearing.
- (5) A request for hearing before the Council by an applicant or interested party shall be filed with the Pueblo Secretary within thirty (30) days of the date of receipt of the enrollment committee's final recommendation.

- (6) Notice of the Council's decision shall be sent to the applicant or interested person within five (5) days of the Council's final decision.

When computing the time periods set forth above, the days shall be counted consecutively beginning with the date the action was taken or notice was received. If the last day falls on a Saturday, a Sunday or a holiday officially recognized by the Pueblo of Laguna, then the last day shall be the next working day at the Pueblo.

I. *Council decision final.* A decision made by the Council regarding the qualifications for membership, naturalization or degree of Laguna and/or Indian blood quantum shall be in writing and shall be final and will not be reconsidered except when new evidence is discovered by the applicant or interested person.

J. *New evidence.* If an applicant or interested person discovers new evidence which tends to show that the applicant is qualified for membership or naturalization or a higher degree of Laguna and/or Indian blood quantum than that previously determined by Council, then a request may be made to the Pueblo Secretary for another hearing before the enrollment committee. The procedure for considering new evidence and enrollment shall be the same as that provided for considering the original application.

K. *Rights of members; date of enrollment.* A person recognized as a member of the Pueblo of Laguna pursuant to the provisions of Article II, Sections 1(a) through (d) of the 1984 Constitution shall enjoy all of the rights and privileges of all other members of the Pueblo of Laguna. The enrollment shall take place as of the date of recognition, and the applicant shall not be entitled to Pueblo benefits, the rights of which vested prior to the date of the applicant's enrollment.

L. *Conditions for naturalization.* In addition to the eligibility requirements contained in Article II, Sections I, (e), (1)—(3) of the 1984 Constitution, persons applying for naturalized membership shall fulfill the following conditions:

- (1) Qualified applicants pursuant to Article II, Section I, (e)(2) of the 1984 Constitution, shall be residents of the Pueblo;
- (2) Those applicants age eighteen (18) or older shall fulfill a five-year probationary period to run from the date application is filed. At the conclusion of the five-year probationary period and upon written recommendation by the appropriate village officials for each of the five (5) years, the application for naturalized membership may be presented to the Council for its consideration.
- (3) Upon the recommendation by a village official on behalf of an applicant for naturalization, an applicant may receive credit toward the five-year probationary period for the period of time applicant lived on the Reservation prior to the enactment of the original membership ordinance on April 8, 1986.
- (4) No person shall become a naturalized member of the Pueblo of Laguna more than once.

*M. Effect of membership by naturalization.*

- (1) All persons naturalized as members shall be identified on the membership rolls of the Pueblo as "naturalized members." Such naturalized members shall enjoy only those rights and privileges expressly stated in this chapter. A naturalized member shall not assume the rights and privileges of Pueblo members enrolled pursuant to Article II, Sections 1, (a)—(d) of the 1984 Constitution.
- (2) All naturalized members of the Pueblo of Laguna shall commit in writing to abide by the Constitution and by-laws and all ordinances, customs and traditions of the Pueblo of Laguna.

*N. Dual enrollment.* No person who is enrolled as a member of another Tribe or Alaska Native Corporation may be enrolled or naturalized as a member of the Pueblo of Laguna unless and until such other membership is relinquished. Upon a determination by the Council that an applicant who is enrolled elsewhere is qualified for membership or naturalization in the Pueblo of Laguna, the Pueblo Secretary shall advise the applicant that upon receipt of verification that the applicant has relinquished all membership rights in the other Tribe(s) or Alaska Native Corporation, he shall become enrolled or naturalized at the Pueblo of Laguna. Any person who, of his or her own accord, relinquishes membership elsewhere prior to being advised in writing that he had qualified to be enrolled or naturalized at the Pueblo of Laguna, shall not hold the Pueblo responsible should he fail to qualify for membership.

*O. Council to hear enrollment matters quarterly.* The Council shall meet, consider and decide enrollment matters no less than once each quarter of each calendar year.

**Section 1-1-2. Paternity decrees.**

*A. Purpose.* Article II, Section 1(f) of the 1984 Constitution, provides for consideration of a greater degree of Laguna or Indian blood quantum of a person applying for membership if paternity has first been established by the Laguna Pueblo Court or another court of competent jurisdiction provided, however; that a paternity decree issued by any court other than the Laguna Pueblo Court shall be subjected to legal review and analysis prior to consideration by the Council. This chapter sets forth the procedure for investigation of the paternity decree by the Pueblo Secretary, legal review and analysis by the Laguna Pueblo Court and consideration of the decree by the Council in determining Laguna or Indian blood quantum.

*B. Applicability.* Article II, Section 1(f) of the 1984 Constitution, shall be applicable to all persons applying for consideration of a greater degree of Laguna or Indian blood quantum whether such person was enrolled pursuant to the provisions of a previous Constitution of the Pueblo of Laguna or whether such person is seeking enrollment for the first time pursuant to the provisions of the 1984 Constitution.

*C. Investigation of paternity decree.* Upon receipt of an application for membership wherein the applicant was born out of wedlock, the Pueblo Secretary or his or her designee, shall inquire as to whether paternity has been established and, if so, shall proceed as follows:

- (1) A certified copy of the paternity decree shall be obtained from the clerk of the court from which it was issued at applicant's expense.

- (2) If the issuing court entered findings of fact and conclusions of law or an opinion, a copy of such documents shall be obtained from the clerk of the court at applicant's expense.
- (3) The Secretary or his or her designee, shall inquire as to whether or not both putative parents had notice of the proceeding, whether the judgment is final, whether there are any post-judgment motions pending and whether or not an appeal is being taken from the judgment.

D. *Legal review and analysis.* If the paternity decree was issued by a court other than the Laguna Pueblo Court then the information required in subsection C. above, along, with all other pertinent documents, shall be referred to the Laguna Pueblo Court for review and analysis. The scope of the review and analysis shall be as follows:

- (1) The Laguna Pueblo Court shall inspect the documents for certification and authenticity making inquiry as to any improprieties to the issuing court.
- (2) The competency of the court to issue the decree shall be established through review of appropriate reference material.
- (3) It shall be established that the due process and equal protection rights of the parties were not violated.
- (4) The Laguna Pueblo Court shall verify in writing to the Council, within thirty (30) days of receipt of the appropriate documents, whether or not; the court had jurisdiction over the matter; the rights of the parties were protected; the same result would likely occur had the matter been presented to the Laguna Pueblo Court for decision.

E. *Consideration by Council.* Upon consideration of an application wherein the paternity of the applicant was established by court decree, the Council shall consider said decree, and in the case of a foreign court decree, the legal analysis of the Laguna Pueblo Court, and may afford the applicant consideration of a greater Laguna or Indian blood quantum if it finds as follows:

- (1) The parties were afforded due process and equal protection; and
- (2) The decree of the court establishing paternity is final and not appealable.

F. *Failure of Council to accept decree.* If the Council determines that the criteria established for considering a paternity decree has not been met then it shall act upon the application for membership or naturalization as though paternity had not been established, provided, however; that the Council's decision shall have no effect on the validity of the decree in establishing the legal rights and responsibilities of the parties to the action. The establishment of paternity is solely within the jurisdiction of the Pueblo Courts and other courts of competent jurisdiction and the Council shall not be requested to nor shall it infringe upon that jurisdiction.

## CHAPTER 2. LOSS OF MEMBERSHIP

### Section 1-2-1. [Disenrollment or denaturalization.]

In addition to renunciation, an enrolled or naturalized member of the Pueblo may be disenrolled or denaturalized by the Pueblo Council for any of the following reasons:

- A. Acceptance of an elective or appointed governing position in another Tribe;
- B. Continued enrollment in another Tribe after opportunity to relinquish such membership has been provided;
- C. Based upon clear and convincing evidence, it is determined that an error or mistake was made in calculating blood quantum on the original application which may result in the disenrollment or denaturalization of the original applicant or member or the descendants of that applicant or member because such person(s) are not otherwise eligible for enrollment or naturalization;
- D. Based upon clear and convincing evidence, it is discovered that enrollment was based upon fraudulent misrepresentations as to marital status to the Pueblo which may result in the disenrollment or denaturalization of the original applicant or member or the descendants of that applicant or member because such person(s) are not otherwise eligible for enrollment or naturalization.

### Section 1-2-2. Investigation of allegations.

Any matters set forth in section 1-2-1 above, giving rise to potential disenrollment or denaturalization, shall be presented to the Pueblo Secretary. The Secretary or, at his or her direction, his or her staff, shall investigate the allegation and present their findings to the enrollment committee. The enrollment committee may require further investigation. Once the allegation has been thoroughly investigated and all available factual information gathered, the matter shall be presented to the Council.

### Section 1-2-3. Hearing.

Prior to a final determination to disenroll or denaturalize a member, the Council shall notify such person by certified mail, return receipt requested, of his or her right to a hearing. Such notice shall contain a concise statement of the reason(s) for the proposed action and shall afford such person a hearing only if a request is made to the Pueblo Secretary within thirty (30) days from the date of receipt of the notice.

### Section 1-2-4. Scope of hearing.

Upon receipt of a request for hearing, the Council shall set a date for the hearing which shall be not less than twenty (20) days from the date of receipt of request for hearing. At such hearing, the person who is subject to disenrollment or denaturalization shall have the right to representation at his or her own expense and may present the testimony of witnesses and



other evidence on his or her behalf. The Council may request the presence of witnesses who have relevant evidence to offer pertaining to the issue of enrollment or naturalization, and all witnesses who appear may be subject to cross-examination.

**Section 1-2-5. Council decision final.**

In accordance with the 1984 Constitution of the Pueblo, the Pueblo Council has sole authority to determine eligibility for enrollment as a member of the Pueblo, and the Council's decision regarding loss of membership shall be final and not subject to judicial review. The Council may sustain the enrollment or naturalization, or disenroll or denaturalize a member. Such final decision may be reconsidered only upon the basis of newly discovered evidence not previously known to the Pueblo or the person disenrolled or denaturalized.

**Section 1-2-6. Suspension for paternity cases.**

Any person who may be disenrolled pursuant to subsection 1-2-1C., or pursuant to subsection 1-2-1D. above, but the fraudulent misrepresentations were those of one other than the member and the cause therefor is due to the lack of established paternity, shall be so advised. Action on such enrollment matter shall be suspended for a period of ninety (90) days to enable such person to initiate proceedings in the appropriate court to establish paternity. In no event shall action be suspended for more than one (1) year pending the outcome of the court proceeding except for good cause shown, i.e., crowded court docket resulting in an inability to have the matter heard. During the period of suspension, such member shall be paid no monetary benefits, nor receive additional benefits from the Pueblo. Failure to initiate a paternity action within ninety (90) days from the date of notification shall result in disenrollment without further hearing.

**Section 1-2-7. Disenrolled member eligible for naturalization.**

Notwithstanding the provisions of this chapter, any person disenrolled pursuant to subsection 1-2-1C., or pursuant to subsection 1-2-1D. due to the fraudulent misrepresentations of one other than the disenrolled member may, within ninety (90) days of the date of disenrollment, apply for naturalization if such person is otherwise eligible pursuant to Article II, Section 1(e) of the 1984 Constitution of the Pueblo of Laguna. Under no circumstances shall a person disenrolled because of his or her own fraudulent misrepresentations be eligible for naturalization in the Pueblo of Laguna.

**Section 1-2-8. Effective date of disenrollment and repayment of monetary benefits received.**

Disenrollment denaturalization shall be effective as of the date of Council's decision and all benefits accruing to person by virtue of his or her former membership shall cease. In cases where it is determined that enrollment was based upon fraudulent misrepresentations by the former member, the Pueblo shall pursue all available legal remedies to recover the monetary benefits theretofore paid to said member. Any person disenrolled pursuant to subsection

1-2-1C. or subsection 1-2-1D. above, for whom money is being held by the Pueblo or the BIA, which money accrued as a benefit of membership in the Pueblo of Laguna, shall forfeit such funds and the funds shall revert to the Pueblo.

### **CHAPTER 3. RENUNCIATION OF MEMBERSHIP**

#### **Section 1-3-1. [Renunciation.]**

Persons who fall within the following categories shall be considered to have renounced their membership in the Pueblo of Laguna:

- A. Persons who have voluntarily enrolled themselves as members of another Indian Tribe; provided, that their residence on another Tribal Indian Reservation or marriage to a member of another Indian Tribe shall not be considered renunciation of membership in the Pueblo of Laguna.
- B. Persons who have accepted positions on, and served as members of, the governing body of another Indian Tribe.
- C. Children enrolled by their parents or guardians in another Indian Tribe, whose father or mother are members of the Pueblo of Laguna.
- D. Any member of the Pueblo who voluntarily executes a relinquishment of membership form stating that he is voluntarily giving up his or her membership in the Pueblo of Laguna and causes said form to be filed with the Pueblo Secretary.
- E. Persons of no Laguna blood married to a member of the Pueblo of Laguna who may have been members of the Pueblo at one time or another, whose marriage to the spouse member of the Pueblo is terminated by death or separation when the Pueblo Council determines that such termination of the marriage terminates that person's relationship with the Pueblo of Laguna.

#### **Section 1-3-2. [Outside residence.]**

The maintenance of a residence outside the Pueblo of Laguna shall not be considered renunciation of membership in the Pueblo.

## MEMBERSHIP AND ENROLLMENT

### TITLE I HISTORY

**Title I, Chapter 1, Membership**, an Ordinance of Naturalization Procedures was enacted on June 22, 1957 and was amended by Ordinance No. 1 on November 22, 1958. Ordinance No. 1 was amended by "Ordinance No. 1 as amended" on October 10, 1959. Ordinance No. 1 as amended was further amended by unnamed "Ordinance No. 2" on September 13, 1982. Ordinance No. 2 was superceded and repealed by Ordinance No. 3 on August 7, 1984. Resolution No. 50-84, adopted on August 7, 1984 (to provide for an appropriate transition from the 1958 Constitution to the 1984 Constitution pursuant to Enrollment Ordinance No. 3.) Ordinance No. 100-86 was enacted on April 8, 1986. Ordinance No. 100-86 was amended by Ordinance No. 101-2-86 on May 13, 1986. Ordinance 100-2-86 was amended by Ordinance 101-3-90 on March 27, 1990. Ordinance 101-3-90 was amended by Resolution No. 15-92, adopted on March 31, 1992.

**The Ordinance of Naturalization Procedures reads as follows:** [TEXT OF ORDINANCE]

**Ordinance No. 1 reads as follows:**

WHEREAS, Article II, Section 2, of the Revised Constitution of the Pueblo of Laguna authorizes the Council to establish a procedure for the determining of membership, now therefore be it

RESOLVED, that the Council of the Pueblo of Laguna hereby adopts the following: [TEXT OF ORDINANCE]

**"Ordinance No. 1 as amended" reads as follows:**

WHEREAS, Article II, Section 2, of the Revised Constitution of the Pueblo of Laguna authorizes the Council to establish a procedure for the determining of membership; and

WHEREAS, it is necessary to update the Enrollment Ordinance enacted on November 22, 1958 by changing certain provisions in Section (10), (11), (12) and (15) of said Enrollment Ordinance, now therefore be it

RESOLVED, that the Council of the Pueblo of Laguna hereby adopt the following: [TEXT OF ORDINANCE]

**Unnamed "Ordinance No. 2" reads as follows:**

WHEREAS, Article II, Section 2, of the Revised Constitution of the Pueblo of Laguna authorizes the Council to establish a procedure for the determining of membership; and

WHEREAS, it is necessary to update the Enrollment Ordinance of October 10, 1959 in light of experience, current needs for clarification, and the importance of creating an efficient enrollment procedure.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Pueblo of Laguna hereby adopt the following: [TEXT OF ORDINANCE]

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**Ordinance No. 3 reads as follows:**

WHEREAS, Article II, Section 1 of the Amended Constitution of the Pueblo of Laguna, as amended June 6, 1984 sets forth the qualifications for membership in the Pueblo of Laguna; and

WHEREAS, it is necessary to enact this Amended Enrollment Ordinance to provide for an efficient enrollment procedure.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Pueblo of Laguna hereby adopts the following: [TEXT OF ORDINANCE]

**Resolution No. 50-84 reads as follows:**

WHEREAS, Article II of the Constitution of the Pueblo of Laguna as amended June 6, 1984, authorizes the Council to establish a procedure for granting membership in the Pueblo; and

WHEREAS, the Council has this day adopted Enrollment Ordinance No. 3; and

WHEREAS, there are now pending applications filed pursuant to the provisions of the Constitution of the Pueblo of Laguna as amended in 1958 and the Enrollment Ordinance No. 2 as enacted September 13, 1982; and

WHEREAS, it is the intent of the Council to provide for an appropriate transition from the 1958 Constitution to the 1984 Constitution pursuant to Enrollment Ordinance No. 3 as adopted this date.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Pueblo of Laguna hereby adopt the following: [TEXT OF ORDINANCE]

**Ordinance No. 100-86 reads as follows:**

WHEREAS, Article II of the 1984 Revised Constitution sets forth the qualifications for membership in the Pueblo of Laguna; and

WHEREAS, it is necessary for the Pueblo of Laguna to establish a procedure for accepting and deciding upon applications for membership and naturalization in the Pueblo of Laguna.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Pueblo of Laguna hereby adopts the following: [TEXT OF ORDINANCE]

**Ordinance No. 101-2-86 reads as follows:**

WHEREAS, Article II of the 1984 Revised Constitution sets forth the qualifications for membership in the Pueblo of Laguna; and

WHEREAS, it is necessary for the Pueblo of Laguna to establish a procedure for accepting and deciding upon applications for membership and naturalization in the Pueblo of Laguna.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Pueblo of Laguna hereby adopts the following: [TEXT OF ORDINANCE]

## MEMBERSHIP AND ENROLLMENT

### **Ordinance No. 101-3-90 reads as follows:**

WHEREAS, Article II of the 1984 Revised Constitution sets forth the qualifications for membership in the Pueblo of Laguna; and

WHEREAS, it is necessary for the Pueblo of Laguna to establish a procedure for accepting and deciding upon applications for membership and naturalization in the Pueblo of Laguna.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Pueblo of Laguna hereby adopts the following: [TEXT OF ORDINANCE]

### **Resolution No. 15-92 reads as follows:**

WHEREAS, the Pueblo Council of the Pueblo of Laguna enacted a Membership Ordinance No. 100-86 on the 8<sup>th</sup> day of April, 1986; and

WHEREAS, the Membership Ordinance #100-86 was amended on the 27<sup>th</sup> day of March, 1990; and

WHEREAS, Section 12 of the Third Amended Membership Ordinance No. 101-3-90 sets forth the conditions for Naturalization; and

WHEREAS, Naturalized applicants over the age of 18 years must fulfill a five-year probationary period to run from the date of application for Naturalization as filed; and

WHEREAS, many prospective naturalized members have lived on the Reservation for some period of time prior to the enactment of the original Membership Ordinance on April 8, 1986; and

WHEREAS, the Council desires to accommodate, under appropriate circumstances, those persons otherwise eligible for naturalization who are residing on Pueblo Lands prior to the enactment of the Membership Ordinance.

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the five-year probationary period required under Section 12 of the Third Amended Membership Ordinance, a recommendation by the respective village officials on behalf of an applicant for naturalization may receive credit toward the five-year probationary period.

**Providing for a transition from the 1959 Enrollment Ordinance to the 1982 Enrollment Ordinance, and to provide transition from the 1958 Constitution to the 1984 Constitution, Resolution No. 55-82 on September 13, 1982.**

### **Resolution No. 55-82 reads as follows:**

WHEREAS, Article II, Section 2 of the Revised Constitution of the Pueblo of Laguna authorizes the Council to establish a procedure for the determining of membership; and

WHEREAS, the Council has this day adopted a Revised Enrollment Ordinance; and

WHEREAS, there are now pending protests filed under the provisions of the Enrollment Ordinance of October 10, 1959; and

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WHEREAS, it is the intent of the Council to provide for an appropriate transition from the 1959 Ordinance to the 1982 Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Pueblo of Laguna hereby adopt the following: [TEXT OF ORDINANCE]

### **Resolution 50-84 reads as follows:**

WHEREAS, Article II of the Constitution of the Pueblo of Laguna as amended June 6, 1984, authorizes the Council to establish a procedure for granting membership in the Pueblo; and

WHEREAS, the Council has this day adopted Enrollment Ordinance No. 3; and

WHEREAS, there are now pending applications filed pursuant to the provisions of the Constitution of the Pueblo of Laguna as amended in 1958 and the Enrollment Ordinance No. 2 as enacted September 13, 1982; and

WHEREAS, it is the intent of the Council to provide for an appropriate transition from the 1958 Constitution to the 1984 Constitution pursuant to Enrollment Ordinance No. 3 as adopted this date.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Pueblo of Laguna hereby adopt the following: [TEXT OF ORDINANCE]

**Title I, Chapter 2, Loss of Membership**, was enacted by Ordinance No. 200-86 on July 15, 1986.

### **Ordinance No. 200-86 reads as follows:**

WHEREAS, Article II, Section 4 of the 1984 Constitution of the Pueblo of Laguna empowers the Pueblo Council to enact ordinances, subject to secretarial approval, pertaining to loss of membership for reasons other than renunciation; and

WHEREAS, the right of Tribes to determine membership is the very essence of tribal self-determination and self-preservation, Santa Clara Pueblo v. Martinez, 436 U.S. 49, 56 L. Ed. 2d 106, 98 S. Ct. 1670.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Pueblo of Laguna hereby adopts the following Ordinance: [TEXT OF ORDINANCE]

**Title I, Chapter 3, Renunciation of Membership**, was enacted by Ordinance No. 2 on February 19, 1959.

### **Ordinance No. 2 reads as follows:**

WHEREAS, Article II, Section 2, of the Revised Constitution of the Pueblo of Laguna authorizes the Council to establish methods for the renunciation of membership in the Pueblo of Laguna, now therefore be it

RESOLVED, that the Council of the Pueblo of Laguna hereby adopt the following: [TEXT OF ORDINANCE]